

ANNEX KKKK

RECOVERY

A. PURPOSE

This portion of the West Virginia Emergency Operations Plan describes the structure and coordination activities to implement the State/Federal disaster programs, support, and technical services that directly assist individuals, families, businesses (including farms), and county and local governments to recover from the effects of a major disaster or emergency declared by the President. The fundamental assumption is that recovery is a partnership effort among Federal, State, voluntary, other local agencies and the private sector. This Annex will describe the linkages that exist among response, preparedness, recovery and mitigation.

B. DEFINITIONS OF TERMS, SCOPE

1. “Recovery Activities” refer to actions by disaster victims that enable them to begin the process of rebuilding their homes; replacing property; resuming employment; restoring their businesses; permanently repairing, rebuilding, or relocating public infrastructure; and mitigating future disaster losses. It also refers to programs of assistance, support, and technical services of the State/Federal Government that facilitate disaster victims’ recovery actions—such as grants and low-interest loans for repair or replacement of homes, businesses, property, infrastructure; technical assistance; education and information.
2. Recovery activities can begin before or immediately after a Presidential declaration. When search and rescue, lifesaving, and emergency measures are well underway or nearly complete, individuals, families, and businesses seek funding and services to repair or replace their damaged property. State and local governments plan the rebuilding of infrastructure and services, to seek sources of funding for sustainable redevelopment of their communities. The Federal Government collaborates with the State in planning and coordinating the implementation of recovery programs to support families, businesses, and governments and initiates the delivery of recovery services.
3. Recovery activities should be carried out in the context of long-term redevelopment of viable, disaster-resistant communities. In this context, recovery activities include implementation of post disaster mitigation programs and opportunities for disaster victims at all levels to make wise rebuilding decisions.
4. Coordination and Planning as Key Elements in Recovery
 - a. As the principal Federal coordinating agency, the Federal Emergency Management Agency (FEMA) is tasked by the Stafford Act to address the unique needs of a particular disaster area by using an interactive process of

reviewing, implementing, and delivering the multiple Federal assistance programs. FEMA also is responsible for funding, managing, and delivering certain Stafford Act programs. Systematic coordination among Federal agencies and States is necessary before and during a disaster to ensure effective, efficient delivery of the array of recovery programs that can aid disaster victims in alleviating damage, hardship, loss, and suffering. The Federal/State coordination process must operate effectively, beginning “bottom up” in the field at the Disaster Field Office (DFO), with the Federal Coordinating Officer (FCO) and the State Coordinating Officer (SCO) interacting with their staffs and State and local governments. The President assigns the FCO and the Governor names a State Coordinating Officer (SCO) to focus interagency coordination.

- b. Before a disaster, interagency planning/coordination provide a foundation for strengthening relationships among Federal/State agencies, voluntary organizations, and private sector entities; identifying inconsistencies and overlaps in recovery programs; streamlining program delivery; furthering intergovernmental partnerships; and improving customer service. Coordination is critical to promote efficient, timely, consistent State/ Federal action. A structured approach to recovery planning also incorporates mitigation activities and lays the groundwork for the State to oversee longer-term redevelopment and reconstruction that promote sustainable development.
- c. Interagency meetings facilitate understanding and familiarity with recovery programs and priorities. Contacts can be fostered in pre-disaster meetings and in meetings during disaster operations with recovery counterparts. Meetings in both settings serve to:
 - (1) Share management information and assessments;
 - (2) Identify short-term and more protracted needs;
 - (3) Discuss resource allocation issues, including funding;
 - (4) Resolve program duplication issues;
 - (5) Discuss and resolve timing issues (e.g., establishment of centers, workshops, issuance of public information);
 - (6) Report progress or lack of progress of established priorities;
 - (7) Identify and resolve overlaps or shortfalls in Federal and/or State programs as they arise in the field;

- (8) Discuss and suggest solutions for issues arising from community contacts; and
 - (9) Ensure coordinated State and Federal activities that promote community sustainability.
 - d. The involvement of private sector and voluntary organizations at the national, State and local levels is critical to the success of a disaster recovery mission. Voluntary organizations, including the American Red Cross, the Mennonite Disaster Service, the Salvation Army, and other organizations, are encouraged to provide leadership and to coordinate with Federal, State, and local governments in recovery planning and program implementation.
 - e. Voluntary agency liaisons at FEMA regional offices and the West Virginia Office of Emergency Services (WVOES) serve as the principal linkages between FEMA, State and voluntary organizations, and as conveners and coordinators of voluntary agency local consortiums. These liaisons assist in facilitating community-based long-term recovery organizations, aid in developing State-based voluntary coalitions called Voluntary Organizations Active in Disasters (VOADs), and coordinate between the FCO/SCO and voluntary organizations during disaster operations. A counterpart national organization known as the National Voluntary Organizations Active in Disaster (NVOAD) serves as a forum for the nonprofit disaster relief organizations to meet in disaster preparedness periods to discuss emergency management issues, share disaster experiences, and develop organizational relationships.

5. Determination of Recovery Program Priorities

- a. The overall responsibility for recovery rests with State and local governments. The WVOES recognizes the primacy of State and local governments in defining recovery requirements and identifying needs. The Federal Government's role is to complement and supplement State, local, and private resources to facilitate recovery.
- b. State and local governments define recovery priorities in the public sector. However, the FCO/SCO are charged with making an assessment of the needs caused by the disaster or emergency. This management information assessment builds upon the Preliminary Damage Assessment (PDA) in that it provides to program managers at all levels of government the information needed to implement, manage, and staff disaster assistance programs and to prioritize the types of assistance most urgently needed. The management assessment should be conducted jointly (as appropriate) between Federal and State agencies, and continue as needed until the

programs are not only in operation but are being appropriately implemented.

6. Recovery Concepts and Requirements

As response phases into recovery, and when the Federal/State partners begin to coordinate recovery program priorities, certain Federal laws and requirements must be used as guidance in initiating and implementing recovery programs.

7. Floodplain Management, Flood Insurance, Environmental Protection, Historic Preservation

- a. Under Executive Order 11988, Floodplain Management, all Federal agencies are required to take action to reduce the risk of flood loss; minimize or eliminate the impact of flooding on human safety, health, and welfare; restore and preserve the natural and beneficial functions of floodplains while carrying out their programs and activities. Federal agency implementation of E.O. 11988 is critical during recovery because reconstruction or repair activities offer opportunities for economically feasible flood loss-reduction.
- b. Implementation of floodplain management through county and local community participation in the National Flood Insurance Program (NFIP) also is a key component of recovery operations. Local floodplain management ordinances may require repair and reconstruction activities to meet prudent construction code requirements that mitigate future losses. Flood insurance policies now provide additional coverage to assist in paying the costs of bringing existing construction into compliance with current codes.
- c. The U.S. Office of Management and Budget and the Council on Environmental Quality jointly issued a policy guidance memorandum on February 18, 1997, entitled Floodplain Management and Procedures for Evaluation and Review of Levee and Associated Restoration Projects, which emphasized the need to consider nonstructural alternatives to flood protection during recovery and the need for coordination at all levels of government. The goal is “to achieve a rapid and effective response to damaged flood and floodplain management systems that will minimize risk to life and property, while ensuring a cost-effective approach to flood damage mitigation and floodplain management and the protection of important environmental and natural resource values that are inherent to the floodplain and adjacent lands.” This policy reflects the fact that recovery should take place in a climate of attention to floodplain management considerations (the Flood Disaster Protection Act of 1973, as amended), and E.O. 11988, environmental considerations (the National Environmental Policy Act of 1994). In siting temporary or permanent

structures, the Federal/State agencies agree to comply, within the bounds of recovery program law and regulations, with the spirit and letter of floodplain management and environmental legislation as a way of protecting people, property, and structures against future threats. Federal/State agencies also are encouraged to preserve properties with a historical significance as part of the assistance decision-making process.

8. Mitigation and Risk Management

- a. Federal agencies commit themselves to assist in rebuilding structures and facilities, restoring land in a way that minimizes risk of future damage and achieves the goal of building disaster-resistant communities—known as “mitigation” or “risk management”. These terms are defined as “sustained actions taken to reduce or eliminate long-term risk to people, property, and structures from hazards and their effects.” The concepts of mitigation and risk management are based on the premise that current money spent on mitigation will significantly save future money by reducing the vulnerability of individuals, businesses, and communities to future disasters. Mitigation is critical to the responsibility of all State/Federal agencies to provide short and long-term solutions to minimize the effects of disasters. Mitigation as a concept translated into a functional program should permeate all recovery activities undertaken at the State, local, and even individual levels, regardless of the source of funding for activities or projects.
- b. Nonstructural alternatives to building, repairing structures and restoring former capability should be considered as mitigation/risk management opportunities (e.g., property acquisition, relocation of flood-threatened structures, insurance, insurance revenue plans). Through early planning and consultation with State/Federal agencies that have statutory mitigation authorities, agencies also should recognize the balance between objectives in recovery planning, such as those involved with temporary measures vs. permanent restorative work. State and local governments will be provided information and technical assistance required for the careful community recovery planning that will result in future disaster-resistant communities. It is critical to incorporate mitigation/risk management concepts and activities into recovery planning and make the two as complementary as possible.

9. Other Crosscutting Requirements

In addition to the objectives of floodplain management, environmental protection, historic preservation, mitigation, and risk management, agencies must remain cognizant of additional crosscutting statutory and other reasonable protections in facilitating or providing resources for disaster recovery. These considerations include civil rights, fair housing, affordable housing, sustainable development,

affordable insurance, disaster-resistant communities, drought-resistant crop planting, and crop insurance.

10. Planning Considerations

- a. Planning for recovery begins before a disaster. Recovery coordination necessary to implement disaster assistance programs takes place when lifesaving and emergency operations may still be ongoing. The requirements for recovery operations staffing are determined as early as possible.
- b. State and local governments are responsible for: identifying needs, establishing recovery priorities, requesting appropriate assistance, for contributing cost-shares as established by law; implementing and enforcing regulations for dealing with land use; permitting and land-use waivers; and for identifying sites for temporary facilities. Since State and local resources to carry out these responsibilities may be overwhelmed, Federal technical and financial assistance may be required and requested.
- c. In a major disaster, the establishment of the formal recovery processes (teleregistration for Disaster Temporary Housing, SBA disaster loans, and grants; opening of Disaster Recovery Centers (DRCs) and implementation of the other agencies' recovery programs should be well-planned, coordinated, and should start as early as practicable.
- d. Information-sharing protocols, including formal coordination meetings, are critical for interagency coordination, good customer relations, and program implementation.
- e. FEMA has responsibility for coordinating (rather than directing or managing) the implementation and funding processes of other Federal agencies. FEMA does not fund programs that are within the authorities of another Federal agency, or other agencies' participation in disaster operations.
- f. Mitigation programs are most effective and economical if implemented early during recovery or before a disaster occurs (such as buying flood insurance or adopting appropriate codes through participation in the NFIP or planning efforts with NFIP Flood Mitigation Assistance funds).

C. CONCEPT OF OPERATIONS

1. General

- a. State and Federal agencies operate as a team in disaster recovery, bringing to the table the resources of their agencies to address identified needs. The President's disaster program is coordinated by FEMA. The State's disaster programs are coordinated by the WVOES.
- b. The initiation of recovery programs is based on the fact that response actions are well underway (or have not been needed) and recovery actions would not interfere with ongoing response activities; that the communities and families affected are ready for the decision making that the programs require; that effective, coordinated, State/Federal recovery planning continues to take place; and that communications and support facilities for effective recovery have been restored. The FCO/SCO make use of coordination meetings with State and local officials, along with Federal agency recovery officials, to identify priorities and programs requested, identify and resolve funding issues, and review the milestones for program delivery. Deadlines should be established only after consultation with all major programs.
- c. Recovery program funding is provided directly to the affected State, locality, business, or individual/family. Where assistance is provided to a State for community/infrastructure recovery programs, the State administers the grant and passes the funding to affected communities.

2. Recovery Organization in the Disaster Field Office

Following the establishment of the Disaster Field Office, the Recovery process takes its form in the Human Services, Public Assistance and Mitigation Programs.

3. Human Services

- a. The Human Services functions are to:
 - (1) Assist the FCO/SCO to assess individual, family, and business needs in the disaster area and, working with State and local officials and other Federal agencies to initiate programs that address those needs;
 - (2) Advertise FEMA's toll-free Teleregistration service and establish one or more DRCs. Openings should be coordinated with the program delivery needs of all Federal/State agencies, including SBA;

- (3) Coordinate program implementation with agencies and organizations;
- (4) Initiate delivery of the individual assistance programs authorized by the Stafford Act;
- (5) Plan, fund, and coordinate with the National Processing Service Centers (NPSCs) the receipt and processing of applications for the Disaster Temporary Housing program; refer cases to the State for processing in the Individual and Family Grant (IFG) program; and coordinate with SBA the delivery of its disaster loan programs;
- (6) Coordinate with the NPSCs to ensure policies and procedures are in place to prevent and rectify duplication of benefits or receipt of excessive assistance; and
- (7) Perform management functions for grants for individuals/families that are issued by FEMA and the State.

b. Activities within the Human Services area include mass care, feeding, disaster temporary housing, and IFG, agency program coordination, donations management and voluntary organization coordination. These activities are described elsewhere in this plan.

4. Infrastructure (Public Assistance)

The Infrastructure Functions are:

- a. Coordinate the implementation and management of recovery programs between and among State/Federal officials;
- b. Serve as technical infrastructure program advisor to the FCO/SCO;
- c. Assist the Governor's Authorized Representative (GAR) in briefing State and local officials on the types of infrastructure assistance available;
- d. Review assistance applications for adherence to eligibility criteria and other policy requirements;
- e. Prepare inspection teams;
- f. Brief, coordinate, and supervise Federal/State inspection teams in the preparation of Damage Survey Reports;

- g. Oversee a cadre of reviewers who determine the eligibility of projects documented by the inspection teams and the level of assistance to be provided;
 - h. Review the work of the inspection and review teams for accuracy, recommend the funding for eligible work and mitigation measures, and forward the approved funding to the State for final distribution to applicants;
 - i. Supervise other Federal agencies providing direct Federal assistance under a FEMA mission assignment;
 - j. Coordinate the completion of mission assignments; and
 - k. Identify mitigation opportunities.
- 5. Mitigation Operations
 - a. Mitigation functions are to:
 - (1) Coordinate between and among State/Federal officials the implementation and management of mitigation activities;
 - (2) Provide technical assistance in execution of the Early Implementation Strategy;
 - (3) Provide technical support to the Human Services function and Infrastructure function;
 - (4) Plan comprehensively for hazard mitigation;
 - (5) Address environmental consequences of the disaster;
 - (6) Identify hazards and analyze risks, which may be done by interagency hazard mitigation teams;
 - (7) Accomplish cost/benefit analysis and training;
 - (8) Develop and deliver training and education programs;
 - (9) Disseminate public awareness and information materials at DRCs;
 - (10) Establish Reconstruction Information Centers (RICs) to offer mitigation and reconstruction information assistance; and

(11) Identify disaster-specific mitigation issues, strategies, opportunities, and measures.

- b. As the Human Services and Infrastructure Support Branches begin early assessment of needs during response, it is critical that the Mitigation organization assemble and coordinate relevant Federal/State agencies to assess mitigation program needs. This early implementation strategy sets goals for all mitigation partnership players and provides a platform for ongoing coordination and revision of the strategy as necessary.
- c. Several Federal mitigation related programs (e.g., the NFIP, the Hazard Mitigation Grant Program, and the Earthquake Program) are administered through existing grant mechanisms and standing relationships with State and local governments. These relationships and potential relationships with agencies involved in recovery activities, increase the opportunity for communication and coordination of mitigation in the aftermath of a disaster.
- d. To achieve optimum effectiveness, mitigation resources and coordination within the recovery context in a DFO should flow through the centralized function of the Deputy Federal Coordinating Officer—Mitigation (DFCO-M), using staff of response operations. After DFO closure, the coordination function is transferred to the Mitigation Division of the FEMA Regional Office or another lead Federal agency office. Mitigation operations have the flexibility to adapt to different sized disasters. Mitigation personnel will participate in inter- and intra-agency coordination to assist in identifying mitigation opportunities and areas of possible funding.

6. Assistance to Individuals, Families, and Businesses

This section describes the initiation and coordination of programs providing recovery assistance directly to individuals, families, and businesses. It also describes the initiation of the process by which individuals gain access to the Temporary Housing (FEMA), Individual and Family Grant (FEMA/State), and Disaster Loan (SBA) programs. Other Federal agencies, as well as State and voluntary organizations, also have programs that may be available to disaster victims. Many of these programs are explained elsewhere in this plan.

7. Program Initiation

Some of the recovery programs for individuals, families, and businesses are automatically triggered by the specific language of the President's declaration. Others, such as the Nuclear Regulatory Commission's insurance benefit program in the event of a nuclear incident, and certain farm benefit programs operated by the USDA, do not require a Presidential declaration, but may require a local or

State request. Still others, such as the Crisis Counseling Assistance and Training Program, may be available following a Presidential declaration if needed and upon the Governor's request and specific agency approval. During the initial field level coordination meetings of recovery agencies, program representatives should advise the FCO/SCO on whether any of the needed programs must be requested separately. Plans should be made for:

- a. Providing technical assistance to the State for requesting these programs;
 - b. Arranging for damage or management information assessments;
 - c. Arranging for any State cost-sharing required by law or regulation; and
 - d. Noting and observing any time frames associated with those requests.
8. Combined Registration and Inspection for Housing, Disaster Loans, and IFG Assistance
- a. FEMA establishes a toll-free registration telephone number (often known as Teleregistration) (1-800-462-9029) (TDD: 1-800-462-7585 for the speech and hearing impaired) to give individuals, families, and businesses access to three widely used programs: the Disaster Temporary Housing program, the SBA disaster loan program, and the IFG program administered by the State. Teleregistration service is available in a variety of languages. The phone bank also offers referrals to many other Federal, State, local, and voluntary organization programs and resources. Agencies having local offices should supply information to FEMA about how to contact them as soon as possible after a disaster declaration, or, ideally, during pre-disaster planning meetings or conferences.
 - b. FEMA provides inspection services both for the Disaster Temporary Housing program and to assist States in administering the IFG program. Inspections verify the extent of damages and the value of losses to housing and other personal property. FEMA refers applications and inspection information to SBA for its information in addressing housing and personal property needs. Finally, FEMA assists SBA by making additional determinations about whether the applicant should be referred to SBA for a disaster loan based on criteria provided by SBA, and by making subsequent referrals of SBA loan denials to the State for meeting unmet needs.
 - c. FEMA processes Disaster Temporary Housing and IFG applications at NPSCs, which operate another critical customer service, the Helpline. Assistance is available through this toll-free telephone number (1-800-525-0321) (TDD: 1-800-660-8005 for the speech and hearing impaired) in determining the status of applications and obtaining referrals to sources for

assistance other than Disaster Temporary Housing, disaster loans, and IFG. Federal, State, local, and private organizations should provide timely and accurate referral information to Helpline staff.

- d. Disaster Recovery Centers may be opened to provide on-site information services. These may vary in each disaster, and include taking applications, serving as a forum for State and local agencies' disaster programs, assisting families and businesses to fill out SBA disaster loan applications, answering status questions, or providing reconstruction and mitigation information. Federal agencies often are represented in DRCs to offer and explain programs that are tailored to meet disaster victims' and service providers' needs (e.g., HUDs section 203(k) Mortgage Assistance Programs for Disaster Victims). The FCO/SCO and Human Services Officer (HSO) will coordinate with Federal, State, voluntary, and private-sector partners who offer services to establish, identify the purposes of, staff, and set the days and hours of operation of these centers.

9. Program Procedures of Other Agencies

Other Federal, State, local, and voluntary organizations have established procedures for accepting and processing disaster applications. They may have toll-free telephone lines or sites where individuals, families, and businesses may receive information and application assistance for their specific recovery programs. Components of other agency programs should be coordinated with the FCO/SCO and their staff, State and local government staff, and FEMA's Office of Emergency Information and Media Affairs, so that consistent decision making and public information may be provided. Public affairs offices of Federal/State agencies and voluntary organizations should be advised of all recovery activities. Coordination meetings among agencies offering assistance are ideal forums in which to ensure that customers receive accurate, timely service for identified needs.

10. Sequence of Assistance Delivery and Duplication of Benefits

- a. Disaster assistance programs for individuals, families, and businesses often overlap in their coverage and purpose. Section 312 of the Stafford Act, Duplication of Benefits, requires that no person, business concern, or other entity receive Federal disaster assistance for any part of a loss that has been covered by any other program, insurance, or any other source. FEMA has established a policy for preventing and rectifying duplication. The duplication of benefits policy excludes expendable items from being considered duplicative. Expendable items include clothing, linens, and basic kitchenware. No checks for duplication need to be made for such items. See 44 CFR 206.191 for a more complete explanation.

- b. The policy includes the concept of a sequence of delivery, which establishes the order in which the major forms of overlapping assistance should be provided. The agency that has primary responsibility for delivering a certain type of assistance should provide that assistance first, and may do so without regard to other agencies with similar assistance that are lower in the sequence. The agency that disrupts the sequence must take the corrective action. Agencies are not prohibited from disrupting the sequence to expedite the recovery of an applicant. The sequence of delivery is:
- (1) Voluntary organizations' emergency assistance; insurance proceeds (including additional living expense benefits);
 - (2) Disaster Temporary Housing assistance, including rental assistance, funds for home repairs, and provision of housing units;
 - (3) SBA disaster loans for individuals, non-farm businesses, and USDA disaster loans for agricultural enterprises;
 - (4) IFG awards;
 - (5) Voluntary organizations' additional assistance (i.e., non emergency) benefits; and
 - (6) Other programs that are not primarily intended for disaster recovery (e.g., FEMA's Cora C. Brown Fund and FEMA's mitigation and property acquisition programs).
- c. An example of duplication of benefits is that FEMA, primary agency in the delivery of Disaster Temporary Housing assistance, provides funds for home repairs (e.g., a new window or door to make a home habitable). SBA might also include funds for these two items in a loan. This would be duplication. To rectify it, SBA would be required to recoup the loan or reduce the loan amount by the dollar value of the window or door.
- d. FEMA's disaster assistance automated information and processing system is a decision-making tool that aids FEMA, SBA, the State, and voluntary organizations in preventing and rectifying duplication of benefits. Because assistance requests, approvals of assistance, and insurance benefit information are shared, agency decision makers can avoid awarding assistance already provided. Agencies other than FEMA, SBA, the State, and certain voluntary organizations do not normally have access to FEMA's information-sharing system. However, such agencies may request information from FEMA if an applicant has requested their assistance and authorized FEMA to release the information, and if the voluntary organization intends to deliver a benefit that duplicates housing

or personal property repair or replacement or delivers medical or death benefits.

11. Assistance to State and Local Governments

- a. The overall responsibility for accomplishing recovery of public facilities, infrastructure, and essential government services rests with State and local governments. Insurance and Federal agency disaster assistance are supplemental and are not meant to supplant State and local prerogatives, programs, or responsibilities.
- b. There is a broad array of Federal assistance programs for disaster recovery in the public sector. This section describes the delivery system and coordination of recovery assistance programs, many of which are delivered in the form of grants, loans, and direct payments to State and local governments, and certain private nonprofit (PNP) organizations. Some forms of State and local assistance are provided as a “pass through” for aiding individuals and families. Others are intended to address recovery needs for planning and support/technical services to augment the capacity of State and local governments.
- c. Much of the Federal recovery assistance directed to State and local governments is directed toward rehabilitation, reconstruction, replacement, or relocation of housing; repairing, replacing, or rebuilding damaged public facilities and infrastructure; and mitigation planning and reconstruction management, incorporating mitigation concepts. This section describes the early coordination mechanisms for activating the appropriate recovery programs and delivering program assistance efficiently and effectively.

12. Coordination Issues in Assistance for State and Local Governments

- a. Federal agencies with direct recovery and mitigation programs for State and local governments normally initiate and implement their programs concurrently with FEMA’s Public Assistance program. Some Federal programs overlap in coverage and purpose, and may be initiated and operated in various ways.
- b. The Emergency Response Team (ERT) Operations Section Chief will be the primary focal point for the coordination of Federal recovery assistance to State and local governments, with advice and assistance from the DFCO-M. He/she may delegate the coordination responsibility to the Infrastructure Support Branch Chief (or FEMA Public Assistance Officer) when program or operational issues are limited to State and local assistance programs (such as duplication of benefits, duplication of effort, or program timing). The Public Assistance Officer and State/Federal

recovery agencies work together to identify and resolve them. Field coordination activities include:

- (1) Sharing management information and assessments;
- (2) Identifying needs;
- (3) Identifying program gaps or funding shortfalls; and
- (4) Resolving program duplication issues.

- d. For example, if restoration of public highways is at issue with respect to which Federal program should participate in its repair (the Federal Highway Administration, or FEMA), the involved agencies coordinate the determination of which agency should fund the repair, based on current legislation and regulations and purpose of the requested funds.

13. Duplication of Benefits

- a. Section 312 of the Stafford Act, Duplication of Benefits, also applies to FEMA's Public Assistance Program when it states that the head of each Federal agency will ensure that no person, business concern, or other entity will receive Federal assistance if he/she has received financial assistance under any other program or from insurance.
- b. FEMA's Public Assistance program benefits are supplemental to insurance, which is primary. Actual and anticipated insurance recoveries will be deducted from otherwise eligible costs, thus preventing any duplication of benefits.
- c. Additionally, FEMA generally does not fund permanent repair projects when another Federal agency has specific authority to restore facilities damaged or destroyed by an event that is declared a major disaster.
- d. Other Federal agencies also are governed by legislation outlining measures to prevent duplication of benefits. The principle involved is that the agencies are charged not to make their Federal funds available for uses the cost of which may be reimbursable by a primary disaster funding source in the sequence of delivery. For example, some costs for repair or replacement of infrastructure are generally first borne by insurance or FEMA's section 406 program, rather than HUD's Community Development Block Grant program or the Economic Development Administration's grant programs.

14. Accessing Federal Assistance

- a. For more detailed information, State and local officials should consult the interagency publication, Disaster Assistance: A Guide to Recovery Programs (November 1995).
- b. They also may contact the appropriate Federal agency's representative in the DFO or the Federal agency's local field office.

D. AUTHORITIES AND REFERENCES

1. West Virginia Code, Chapter 15, Article 5, as amended.
2. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended.
3. Federal Response Plan, as amended.

ANNEX KKKK
APPENDIX 1
FEDERAL RECOVERY PROGRAMS¹

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Emergency Haying and Grazing	Agriculture Dept. of (USDA), Farm Service Agency (FSA)	Emergency authority to harvest hay or to graze land devoted to conservation and environmental uses under the Conservation Reserve Program.	AWD	I/B
Emergency Loans	USDA, FSA	Low interest loans to family farmers and ranchers for production losses and physical damage.	PD; designated by Secretary of Agriculture or Administrator, FSA (physical losses only)	I/B
Noninsured Crop Disaster Assistance Program	USDA, FSA	Direct payments to reduce financial losses resulting from a natural disaster that causes production loss or prevents planting of crops grown commercially for food or fiber, for which Federal crop insurance is not available.	AWD	I
Emergency Conservation Program	USDA, FSA	Cost-share payments to rehabilitate farmlands damaged by natural disasters and to carry out emergency water conservation or water-enhancing measures during times of severe drought, in cases when the damage or drought is so severe that Federal assistance is necessary.	AWD	I/B
Agricultural Marketing Transition Act (AMTA) Program	USDA, FSA	Direct payments to eligible producers of program crops that comply with AMTA requirements.	AWD	I/B
Conservation Reserve Program (CRP)	USDA, FSA	Voluntary program that offers annual rental payments, incentive payments for certain activities and cost-share assistance to establish approved cover on eligible cropland.	AWD	I/B

¹ The following abbreviations are used throughout this document: Presidential declaration (PD); available without declaration (AWD); Federal agency (F); State agency (S); locality (L); individual/family (I) nonprofit organization (N) business (B); and not provided (NP)

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Farm Operation Loans	USDA, FSA	Loans and loan guarantees to be used for farm operating costs.	N/P	I
Farm Ownership Loans	USDA, FSA	Direct loans, guaranteed loans, and technical assistance for farmers in acquiring or enlarging farms or ranches; making capital improvements; promoting soil and water conservation; and paying closing costs.	AWD	I
Emergency Food Assistance (Emergency Food Stamp and Food Commodity Program)	USDA, Food and Nutrition Service (FNS)	Direct payments to states for specified uses.	PD; declaration by the Secretary of Agriculture	S/I
Food Distribution	USDA, FNS	Donations of USDA purchased foods.	PD; declaration by Secretary of Agriculture and compliance with eligibility criteria.	F/S/L/N
Emergency Watershed Protection (EWP)	USDA, Natural Resources Conservation Service (NRCS)	Direct payments and technical assistance to install structural and non-structural measures to relieve imminent threats to life and/or property, and to purchase floodplain easements. Technical assistance such as site evaluations, design work, and installation inspections also are provided through the program.	AWD; triggered by State NRCS Conservationist.	S/L/N/B/I
Water Resources	USDA, NRCS	Project grants for the installation of preventive measures such as dams, channels, flood warning systems, purchasing easements, floodplain delineation, and land treatment. Advisory and counseling services are also available.	N/P	S/L/N

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Resource Conservation and Development (RC&D)	USDA, NRCS	Technical assistance and loans to finance local project costs. Projects may include: land and water conservation; resource improvements; recreational development; and waste disposal projects.	AWD	L/N
River Basin Project	USDA, NRCS	Technical assistance. Special priority is given to projects designed to solve problems of upstream rural community flooding, water quality improvement that comes from agricultural non-point sources; wetland preservation; and drought management for agricultural and rural communities. Special emphasis is placed on helping State agencies develop strategic water resource plans.	AWD; triggered by NCRS State Conservationist	F/S/L
Soil Survey	USDA, NRCS	Technical assistance. Objective is to maintain up-to-date, published surveys (and soil survey data in other formats) of counties or other areas of comparable size for use by interested agencies, organizations, and individuals; and to assist in the use of this information.	N/P	S/L/N/B/I
Federal Crop Insurance Program	USDA, Risk Management Agency (RMA)	Direct payment of insurance claims. Insurance against unavoidable causes of loss such as adverse weather conditions, fire, insects, or other natural disasters beyond the producer's control.	No activating mechanism is needed; but availability is based on crop specific sales, closing dates, and the availability of crops in particular counties.	I
Business and Industrial Loan Program (B&I)	USDA, Rural Business Service	Guaranteed and direct loans up to \$10 million. Possible disaster uses include drilling wells, purchasing water, or tying into other water programs.	AWD	B/N/T and public bodies

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Farm Labor Housing and Grants	USDA, Rural Housing Service (RHS)	Loans and grants to provide housing and related facilities for domestic farmers.	No deadlines.	I/B
Rural Housing Site Loans	USDA, RHS	Loans on the purchase and development of housing and necessary equipment that becomes a permanent part of the development (e.g., water and sewer lines).	AWD	N
Rural Rental Housing Loans	USDA, RHS	Loans for the purchase, building, or repair of rental housing. Funds can also be used to provide water and waste disposal systems.	AWD	I/S/L/B
Emergency Community Water Assistance Grants, (ECWAG)	USDA, Rural Utilities Service (RUS)	Project grants to help rural residents obtain adequate water supplies.	PD	S/L/N
Water and Waste Disposal Loans and Grants	USDA, RUS	Project grants, direct and guaranteed loans to develop, replace, or repair water and waste disposal systems in rural areas and towns having populations of 10,000 or less.	AWD	L/N
Voluntary Organizations Recovery Assistance	American Red Cross, Mennonite Disaster Service, the Salvation Army, and member organizations of the National Voluntary Organizations Active in Disaster	Mass care (shelter and feeding), welfare inquiries, health and mental health services, child care, home repairs (labor and funding), emergency communications, debris removal, burn services, cleaning supplies, personal property, distribution of supplies, transportation, loan personnel, and other specialized programs and services.	Disaster event.	I
Economic Adjustment Program – Disaster Economic Recovery Assistance	Commerce, Dept. of (DOC), Economic Development Administration (EDA)	Planning and technical assistance grants to State and local governments for strategic recovery planning and implementation to focus on job retention and/or creation to help offset the economic impacts of a major disaster.	PD; requires supplemental appropriation (SA)	S/L/N

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Economic Adjustment Program – Disaster Economic Recovery Assistance	DOC, EDA	Revolving loan fund grants to State and local governments to provide a source of local financing to support business and economic recovery after a major disaster where other financing is insufficient or unavailable.	PD; SA	S/L/N
Economic Adjustment Program – Disaster Economic Recovery Assistance	DOC, EDA	Infrastructure construction grants to address local recovery implementation needs for new or improved publicly owned infrastructure after a major disaster, support job creation and retention, leverage private investment, and help accelerate and safeguard the overall economic recovery of the disaster impacted area.	PD; SA	S/L/N
Corporation for National Service (CNS) Grantees	CNS	Volunteers of all ages/backgrounds provide short/long-term response and recovery assistance. They are available through the community or National deployment.	PD	F/S/N
Emergency Rehabilitation of Flood Control Works or Federally Authorized Coastal Protection Works	DOD, USACE	Specialized services to assist in the repair and restoration of public works damaged by flood, extraordinary wind, wave, or water action.	Approved by HQ-USACE	S/L/N/I
Emergency Water Supply and Drought Assistance Programs	DOD, USACE	Emergency supplies of clean drinking water for human consumption and construction of wells.	Assistant Secretary of the Army for Civil Works designates the area as “drought distressed.”	L

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Flood and Post-Flood Response, Emergency Operations	DOD, USACE	Specialized services, such as flood fighting and rescue, protection of federally constructed shore or hurricane projects, and post-flood response assistance.	Designation by USACE district commander.	S/L
Water Course Navigation: Protecting, Clearing, and Straightening Channels	DOD, USACE	Specialized services, such as clearing or removing unreasonable obstructions to navigation in rivers, harbors, and other waterways or tributaries.	Decision of the Chief of Engineers.	S/L
Community Disaster Loan Program	Federal Emergency Management Agency (FEMA)	Program provides loans not greater than 25% of the local government's annual operating budget.	PD	L
Cora C. Brown Fund	FEMA	Grants to Disaster victims for unmet disaster related needs.	PD, designation for individual assistance.	I
Crisis Counseling Assistance and Training Program (CCP)	FEMA; Dept. of Health and Human Services (HHS)	Grants to States providing for short term counseling services to disaster victims.	Governor's request	I, via S
Fire Suppression Assistance Program	FEMA	Project grants. FEMA approves a grant to a State on the condition that the State take measures to mitigate natural hazards, including consideration of nonstructural alternatives.	Decision by FEMA	S
Hazard Mitigation Grant Program (HMGP)	FEMA	Project grants to implement hazard mitigation plans and prevent future loss of lives and property.	PD	L/N, via S

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Individual and Family Front (IFG) Program	FEMA	Grants to individuals administered by the State. Objective is to provide funds for the expenses of disaster victims that cannot be met through insurance or other assistance programs.	PD, designation for individual assistance. Requires specific request by State governor.	I, via S
Legal Services	FEMA	Free legal advice and referrals. Assistance includes help with insurance claims; counseling on landlord-tenant and mortgage problems; assistance with home repair contracts and consumer protection matters; replacement of legal documents; estate administration; preparation of guardianships and conservatorships; and referrals.	PD; designation for individual assistance.	I
National Flood Insurance Program (NFIP)	FEMA	Insurance benefits against losses from floods, mudflow, or flood related erosion.	AWD	I/B/S
NFIP, Community Assistance Program	FEMA	Grants to States for technical assistance to resolve floodplain management issues	AWD	S/L
Public Assistance Program	FEMA	Project grants. Funds can be used for clearing debris; emergency measures; and repairing or replacing damaged structures, roads, utilities, and public buildings and infrastructure.	PD, designated for public assistance	L/N, via S
Disaster Housing Program	FEMA	Direct-payment grants and services. Grants include transient accommodation reimbursement, and home repair, rental, and mortgage assistance. Services may include a mobile home.	PD, designation for individual assistance	I

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Regulatory Relief for Federally Insured Financial Institutions	Federal Deposit Insurance Corporation (FDIC) and other Federal regulatory agencies	Specialized services. Supervisory agencies can grant regulatory relief to insured institutions. Regulatory relief includes; lending assistance; extensions of reporting and publishing requirements; waivers from appraisal regulations; and implementation of consumer protection laws.	PD; other disaster that affects the ability of a federally insured financial institution to provide normal services	N/B
Donation of Federal Surplus Personal Property	General Services Administration (GSA)	Donations of surplus personal property to eligible recipients.	N/P	S/L/N/public airports
Disposal of Federal Surplus Real Property	GSA	Sale, exchange, or donations of property and goods.	N/P	S/L/N
Disaster Assistance for Older Americans	HHS, Administration on Aging	Direct payments to State agencies focused on aging-related services.	PD	I, via S
Mental Health Disaster Assistance	HHS, Public Health Service	Project grants to provide emergency mental health and substance abuse counseling to individuals affected by a major disaster.	Supplemental appropriation by Congress relating to PD	I, via S
Community Development Block Grant (CDBG) Program – Entitlement Grants	Housing and Urban Development, Dept of (HUD), Community Planning and Development (CPD)	Formula grants to entitlement communities. Preferred use of funding is for long term needs, but funding may also be used for emergency response activities.	PD	L
CDBG—State's Program	HUD, CPD	Formula grants to States for non-entitlement communities. Preferred use of funding is for long-term needs, but funding may also be used for emergency response activities. States establish methods of fund distribution	PD	L, via S

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Mortgage Insurance for Disaster Victims Program (Section 203 (h))	HUD	Provides mortgage insurance to protect lenders against the risk of default on loans to qualified disaster victims, whose homes are located in a presidentially designated disaster area and were destroyed requiring reconstruction/replacement. Insured loans may be used to finance the purchase or reconstruction of a one-family home that will be the principal residence of the homeowner.	PD	I
Reclamation States Emergency Drought Relief Act of 1991	Interior, Dept. of the Interior (DOI), Bureau of Reclamation	Loans; grants; use of facilities; construction; management and conservation activities; and purchase of water for resale or for fish and wildlife services. Temporary drought assistance may include the drilling of wells, installation of equipment, improved reporting of conditions.	Request for drought assistance and approval by Commissioner of Reclamation	F/S/N/I
Disaster Unemployment Assistance (DUA)	Labor, Dept. of (DOL), FEMA	Direct payments of DUA benefits and reemployment assistance services. Objective is to provide assistance to individuals who are ineligible for regular unemployment compensation programs and who are left jobless after a major disaster.	PD, designated for individual assistance. PD may be limited to DUA only.	I, via S
Employment; Job Training Partnership Act (JTPA), National Reserve Emergency Dislocation Grants	DOL, Employment and Training Administration	Program provides States with grant money to provide individuals with temporary jobs and/or employment assistance.	PD	I, via S

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Price-Anderson Act	American Nuclear Insurers and Nuclear Regulatory Commission (NRC) for commercial nuclear power plants) Department of Energy (for DOE facilities)	Payment of liability claims that arise from a nuclear power reactor accident. Insurance-provided assistance may compensate victims for: increased living expenses after an evacuation; unemployment; business losses; environmental cleanup; reduced property values; and costs associated from bodily injury.	AWD	I
Price-Anderson Act	NRC	Insurance reimburses States and municipalities for costs necessarily incurred in providing emergency food, shelter, transportation, or police services in evacuating the public after a nuclear power accident.	AWD	S/L
Economic Injury Disaster Loans (EIDL)	Small Business Administration (SBA)	Direct long-term, low interest loans to small businesses and agricultural cooperatives. Loans are only available to applicants with no credit available elsewhere and the maximum amount of an EIDL loan is \$1,500,000.	PD; declaration of a disaster by the Secretary of Agriculture and/or SBA declared disaster.	B
Physical Disaster Loans (Business)	SBA	Direct long-term, low interest loans to businesses and nonprofit organizations. Loans provided to repair or replace uninsured property damages caused by disasters. Loans limited to \$1,500,000.	PD or SBA declaration	N/B
Physical Disaster Loans (Individual)	SBA	Direct long-term, low-interest loans. Loans to homeowners and renters to repair or replace uninsured damages caused by disasters to real and personal property. Loan amounts limited to \$200,000 to repair or replace real estate, and to \$410,000 to repair or replace personal property.	PD or SBA declaration	I

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Social Security Assistance	Social Security Administration (SSA)	Advisory and counseling services to (1) process SSA survivor claims; (2) assist in obtaining necessary evidence for claim processing; (3) resolve problems involving lost or destroyed SSA checks; and (4) reprocess lost or destroyed pending claims.	PD and AWD	I
Donations, International	State, Dept. of	Donations including goods and cash.	Request for international coordination assistance from FEMA's Donations Coordinator	I
Transportation: Emergency Relief Program	Transportation, Dept. of (DOT), Federal Highway Administration (FHWA)	Formula and project grants to repair roads. FHWA can provide: (1) up to \$100 million in funding to a State for each natural disaster or catastrophic failure; and (2) up to \$20 million in funding per year for each U.S. territory. Special legislation may increase the \$100 million per State limit.	PD, AWD	F/S
Alcohol and Tobacco Tax Refund	Treasury, Dept. of the, Bureau of Alcohol, Tobacco and Firearms	Specialized services to provide Federal alcohol and tobacco excise tax refunds to businesses that lost assets in a disaster	PD	B
Savings Bonds Replacement or Redemption	Treasury, Bureau of Public Debt	Specialized services. Bureau of Public Debt expedites replacement of U.S. Savings Bonds lost or destroyed as a result of a disaster.	PD	I
Taxes: Disaster Assistance Program	Treasury, Dept. of the, Internal Revenue Service (IRS)	Advisory and counseling services. IRS provides information about casualty loss deductions, claim procedures, and reconstruction of lost financial records.	PD	I/B
Forbearance on VA Home Loans	Veterans Affairs, Dept. of VA	Encourage lenders to extend forbearance to any borrowers who have VA home loans and who are in distress due to disaster; provide incentives to such lenders.	PD	I

Program	Agency	Assistance Provided	Activating Mechanism	Eligibility
Reestablishing Local Survey Networks	DOC, NOAA	Provision of survey mark data to local and State agencies for reestablishing their geodetic control networks; reestablishment of national network if warranted.	PD; AWD depending on funding availability	S/L
Technical Support	DOC, National Institute of Standards and Technology	Disaster damage surveys, assistance in procurement of consulting services, evaluation of structural and fire performance of buildings and lifelines.	Federally declared disasters to buildings and lifelines, on cost reimbursable basis.	F/S/L